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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 11-00472 RMW
)	
Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER EXCLUDING TIME FROM
v.)	SPEEDY TRIAL ACT CALCULATION
)	(18 U.S.C. § 3161(h)(7)(A))
KEVEN CHEN CHIEH YANG,)	
)	
Defendant.)	

With the agreement of the parties in open court, and with the consent of defendant Keven Chen Chieh Yang, the Court enters this order documenting exclusion of time from October 22, 2012, through December 10, 2012, under the Speedy Trial Act, 18 U.S.C. § 3161(c)(1). The parties agree, and the Court finds and holds, as follows:

1. On October 22, 2012, the parties appeared for a status conference before this Court.
2. At the appearance, defendant requested a continuance of the case until December 10, 2012, in order to continue to investigate the case. The United States had no objection to the request.
3. Based on these representations and for good cause shown, the Court finds that

STA Stipulation
11-00472 RMW

1 failing to exclude the time between October 22, 2012 and December 10, 2012, would
 2 unreasonably deny the defendant continuity of counsel and would deny counsel the reasonable
 3 time necessary for effective preparation, taking into account the exercise of due diligence. 18
 4 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding
 5 this time from computation under the Speedy Trial Act outweigh the best interests of the public
 6 and the defendant in a speedy trial.

7 4. Accordingly, and with the consent of the defendant, the Court orders that the
 8 period from October 22, 2012, through December 10, 2012, be excluded from Speedy Trial Act
 9 calculations. *Id.*

10
 11 IT IS SO STIPULATED.

12
 13 DATED: October 26, 2012

/s/
 MICHAEL ARMSTRONG
 Attorney for Defendant

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 15
 16 DATED: October 26, 2012

/s/
 AMBER S. ROSEN
 Assistant United States Attorney

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 18
 19 Based on the above, IT IS HEREBY ORDERED that the time between October 22, 2012 and
 20 December 10, 2012, shall be excluded from computation under the Speedy Trial Act. 18 U.S.C.
 21 § 3161(h)(7)(A) and (B)(iv).

22
 23 DATED: ~~FCB~~ ~~FG~~


 RONALD M. WHYTE
 Senior United States Senior District Judge